

**REMARKS**

Claims 1-27 are pending in this application. By this Amendment, claims 1, 2 and 21 are amended.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Reconsideration based on the following remarks is respectfully requested.

I. **The Claims Satisfy All Formal Requirements**

The Office Action objects to claim 21 as being a substantial duplicate of claim 3. This objection is respectfully traversed. Claim 3 is dependent from claim 1, and claim 1 recites the step of "forming the first thin film device layer on a first substrate". Claim 21 does not recite any such step. Thus, claim 21 is not a substantial duplicate of claim 3. Withdrawal of the objection to claim 21 is respectfully requested.

II. **The Claims Satisfy the Requirements of 35 U.S.C. § 112, Second Paragraph**

The Office Action rejects claims 14, 15 and 18-20 under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Office Action asserts that it is not clear by what is meant by "at least one of the thin film device layers comprising a memory cell array" and "a plurality of layers among a thin film device layers comprising one memory" in claims 14 and 15. This rejection is respectfully traversed. As discussed in the specification at page

69, lines 3-22, the three dimensional device according to one embodiment of the invention is a memory IC, the memory IC includes a plurality of memories, and each of the memories include a memory cell array.

Further, the Office Action asserts that it is not clear what is meant by "different design rules", "different design parameters" and "different fabricating processes". This assertion is also respectfully traversed. The specification describes that "in the case of a three dimensional device in which different layers are deposited, it is very difficult to form the individual layers with suitable [different] device parameters (for example, gate line width, thickness of a gate insulating film, design rules, and fabrication conditions such as temperature during fabrication)." See the specification at, for example, page 1, lines 18-21. Thus, examples of the "different device parameters" include for example: 1) gate line width; 2) thickness of a gate insulating film; 3) design rules; and 4) fabrication conditions, such as temperature during fabrication.

An example of the "different design rules" is, for example, where the transfer source layer 41 and the transfer source layer 42 can be formed with different design rules (for example, a minimum line width). See the specification at, for example, page 28, lines 12-14.

An example of the "different fabricating process" is, for example, forming the individual thin film device layer on different substrates by different fabricating processes, for example, by different configurations. See the specification at, for example, page 1, lines 14-17. For example, Figs. 1-15 show steps for fabricating the three dimensional device, and Fig. 17 shows a different second example, Fig. 18 shows a different third example, etc. See the specification at, for example, page 4, lines 21 to page 5, line 5 and Figs. 1-17. Other examples of "different fabricating processes" may include the use of different variables, such as for example, CVD, vapor deposition, etc.

Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph is respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-27 under 35 U.S.C. §103(a) over Hayashi (U.S. Patent No. 5,087,585) in view of Vu et al. (U.S. Patent No. 5,499,124). This rejection is respectfully traversed.

Hayashi, alone or in combination with Vu, does not disclose or suggest a method of forming a three-dimensional device including, inter alia, adhering the first thin film device layer to the second thin film device layer such that the plurality of first electrodes are electrically connected to the plurality of second electrodes.

Specifically, although Vu discloses a process in which a first layer is transferred to another substrate by irradiating light, the substrate in Vu does not have a plurality of electrodes that are electrically connected with a plurality of electrodes on the first layer. Thus, it would not have been obvious to combine Vu with Hayashi to arrive at the claimed invention because Vu does not relate to forming a three dimensional device by depositing a second device layer onto a first device layer by irradiating light, but instead relates to transferring a single device layer from one substrate to another substrate.

For at least these reasons, it is respectfully submitted that claims 1, 2 and 21 are patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Applicants respectfully request that the rejection under 35 U.S.C. 103 be withdrawn.

IV. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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